

## **Zoning Board of Appeals Fiscal Year 2002**

The Amherst Zoning Board of Appeals processed 34 permit applications this year. Thirty-two were for Special Permits and two were for Variances. The request to renew the Variance to extend the Baptist Church on North Pleasant Street was granted. The request to construct an addition which would extend a house into the side-setback was denied because the Board did not reach consensus that the request met all criteria for a Variance. All but three Special Permit requests were granted by the Board. There were no Appeals of the Decision of the Building Commissioner filed this year.

Two zoning issues, carried over from the prior fiscal year, which generated significant public interest were the Town's request to increase the height of Cell 3 at the Amherst Landfill and the Comprehensive Permit application, under Chapter 40B, for 26 units of affordable housing. The Board denied the request to increase the landfill height in a split decision. It approved the application by HAP to construct 26 affordable housing units and an efficiency apartment at 12 Longmeadow Drive in South Amherst after six public hearings held over a six-month period.



The Zoning Board agreed with the recommendations of the Historical Commission when it granted a Special Permit for a change of use for the old North Amherst Fire Station. The Board saw this request to alter a non-conforming structure and convert it into a dwelling as a positive contribution to the neighborhood and the North Amherst National Register District.

There were seven Special Permit requests to increase the number of dwelling units on properties. Five of the new apartments were added to single family homes. A

vacant chicken coop on Hallock Street was demolished and replaced by a new building containing two new apartments. The Board approved a request to construct a duplex on a flag lot on Belchertown Road. These permits resulted in a total of nine new apartments.

As in the past, several restaurants filed requests for Special Permits.

- The Amherst Brewing Company expanded to include the second level of the building, adding pool tables and function rooms.
- The Thirsty Mind opened a bookshop/café at the former location of Claudia's Café.
- Daisy's in North Amherst was reopened by a new owner.
- Dunkin' Donuts received a Special Permit to open a franchise restaurant on College Street.
- The Board denied a Special Permit for a restaurant/bar in a section of the building previously used as Victory Market on University Drive and Amity Street, due to concerns about the effect of noise and crowding.

The Board could not foresee that this would be one of the hottest summers on record when it approved a request for a one-year moratorium on opening the pool at The Brook at Amherst Green so that needed repairs could be completed.

Other Special Permits granted this year allowed:

- construction of wooden furniture as a home occupation on Wildflower Drive
- a martial arts center on Main Street
- six new flag lots.

The Board continues to be chaired by Keri Heitner, with Marc Cohen and Zina Tillona serving as permanent members. Earl Smith, Sonya Sofield, and Tom Simpson continue as alternates. Former Select Board and Planning Board member Brenna Kucinski was appointed as the newest member of the Zoning Board of Appeals during this year.

Keri Heitner, Chair  
Amherst Zoning Board of Appeals

